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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/815,833	03/24/2001	Tuan-Hui Wu	UPA-01128	6404

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EXAMINER

MARTINEZ, DAVID E

ART UNIT PAPER NUMBER

2182

DATE MAILED: 11/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/815,833

Applicant(s)

WU, TUAN-HUI

Examiner

David E Martinez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 16, 17, 19, 22, 23, 24, 27-28, 30 is/are rejected.
- 7) ☒ Claim(s) 18, 20, 21, 25, 26 and 29 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

Claim 30 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

1. Claim 30 recites the limitation "the multiple parameters" in line 1 of claim 30. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 16, 19, 22, and 24, are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent Application Publication No. US 2003/0191799 A1 to Araujo et al. (Araujo).

2. With regards to claim 16, Araujo teaches a method of transferring resources between a first group of computers executing a first operating system and a second group of computers executing a second operating system [paragraphs 97, 102, one group using Linux, the other using Windows], comprising the steps of:

(a) transferring resources including multiple configurations, files and directories on a first file server of the first group to a second file server of the second group [paragraphs 97, 102-105, 112]; and

(b) executing a human-computer interface control program in the second operating system on the second file server for administering the transferred resource [fig 5 elements 524, 526, 540, paragraphs], said interface control program having a same user interface as a user

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interface used in administrating resources on the first file server [both windows and linux computers have monitors and keyboards thus have a same common user interface].

3. With regards to claim 19, Araujo teaches the method according to claim 16, wherein said step (a) further comprises the steps of:

(a1) obtaining user configurations and user e-mail account configurations of the first operating system in the first file server;

(a2) executing a file sharing program in the second operating system on the second file server to add the user configurations obtained in said step (a1) into user configurations of the second file server; and

(a3) executing the file sharing program and an e-mail administration program in the second operating system on the second file server to add user e-mail accounts of the user email account configurations obtained in said step (a1) to the second file server [paragraphs 113-118].

4. With regards to claim 22, Araujo teaches the method according to claim 16, wherein the human-computer interface control program in said step (b) further comprises at least a program having a user interface identical to a user interface in the first operating system for execution in the second file server [both windows and linux computers (first and second computers running first and second operating systems) have monitors and keyboards thus they have identical user interfaces, paragraphs 97, 102-105] to give instructions to directories and files transferred to the second file server in said step (a) [paragraphs 97, 102-105].

5. With regards to claim 24 Araujo teaches the method according to claim 16, wherein the human-computer interface control program in said step (b) further comprises at least a program having a user interface identical to a user interface in the first operating system for execution in the second file server [both windows and linux computers (first and second computers running

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first and second operating systems) have monitors and keyboards thus they have identical user interfaces, paragraphs 97, 102-105] to give instructions for administrating user e-mail accounts of user e-mail account configurations transferred to the second file server in said step (a) [fig 8, paragraphs 113-118].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 17, 23, and 27-28, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. US 2003/0191799 A1 to Araujo et al. (Araujo).

6. With regards to claim 17, Araujo teaches the method according to claim 16, wherein said step (a) further comprises the steps of:

(a1) obtaining shared directories of the first operating system in the first file server [paragraphs 97, 102-105];

(a2) obtaining user authority configurations of the shared directories obtained in said step (a1) [paragraphs 97, 102-105];

(a3) executing a file sharing program in the second operating system on the second file server and writing the user authority configurations obtained in said step (a2) into a file sharing configuration file of the file sharing program [paragraphs 97, 102-105].

Araujo fails to teach (a4) setting a default directory in the second file server and copying the shared directories and files under the shared directories in the first file server to the default

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directory, however, setting up default directory in any computer that is used for sharing files in a network is well known in the art for windows and linux computers.

It would have been obvious to one of ordinary skill in the art at the time of the invention to set a default directory in the second file server and copying the shared directories and files under the shared directories in the first file server to the default directory for the benefit of having a commonly accessed directory where two computers can share data/files for network communication to take place.

7. With regards to claim 23. Araujo teaches the method according to claim 16, wherein the human-computer interface control program in said step (b) further comprises at least a program having a user interface identical to a user interface in the first operating system for execution in the second file server [both windows and linux computers (first and second computers running first and second operating systems) have monitors and keyboards thus they have identical user interfaces, paragraphs 97, 102-105] to give instructions to users in said step (a) [paragraph 112]. Although Araujo is silent to giving instructions to groups of user and group configurations transferred to the second file server, it is well known that servers can give instructions to both users and groups (a group being made up one or more users).

It would have been obvious to one of ordinary skill in the art at the time of the invention to also give instructions to groups of user and group configurations transferred to the second file server for the benefit of having more than one user access the shared resources. In addition, see also the provided Samba Server step by step guide page 4

Claims 27, 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Application Publication No. US 2003/0191799 A1 to Araujo et al. (Araujo). In view of the Samba Server Step-by-Step Guide.

8. With regards to claim 27, Araujo fails to teach the method according to claim 16, further comprising the step of executing a program for giving run or stop instructions on a multiple server software executed in the second file server. However, the Samba Server step-by-step guide teaches how to start and stop the samba software for the benefit or having manual control of all running processes [page 8].

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the teachings of both Araujo and the Samba Server Step-by-step guide to give run or stop instructions on a multiple server software executed in the second file server for the benefit or having manual control of all running processes.

9. With regards to claim 28 Araujo teaches the method according to claim 27, wherein the multiple server software includes at least a server software selected from the group consisting of an email server software [fig 8 element 78].

Allowable Subject Matter

Claims 18, 20, 21, 25, 26, and 29, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E Martinez whose telephone number is (571) 273-4152. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DEM


KIM HUYNH
PRIMARY EXAMINER
11/23/04